
HOUSE BILL No. 1066

DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-8.1-15.

Synopsis: Prohibit school records disclosure to abusive parent. Prohibits a school from disclosing a student's school records to a noncustodial parent who has been convicted of a crime involving domestic or family violence. Requires the department of education to request the United States Department of Education to determine whether this statute conflicts with the Family Educational Rights and Privacy Act and to report the determination to the legislative services agency.

Effective: Upon passage; July 1, 2004.

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January 7, 2003, read first time and referred to Committee on Education.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1066

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-8.1-15 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]:

4 **Chapter 15. Nondisclosure of School Records**

5 **Sec. 1. As used in this chapter, "crime involving domestic or**
6 **family violence" has the meaning set forth in IC 35-41-1-6.5.**

7 **Sec. 2. A school may not knowingly disclose a student's school**
8 **records to a parent who:**

- 9 (1) **does not have legal custody of the student; and**
10 (2) **has been convicted of a crime involving domestic or family**
11 **violence.**

12 **SECTION 2. [EFFECTIVE UPON PASSAGE] (a) Not later than**
13 **forty-five (45) days after the effective date of this SECTION, the**
14 **department of education shall:**

- 15 (1) **notify the United States Department of Education of a**
16 **possible conflict between IC 20-8.1-15, as added by this act,**
17 **and the Family Educational Rights and Privacy Act (20 U.S.C.**



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1 **1232g); and**

2 **(2) request the United States Department of Education to**
3 **determine whether IC 20-8.1-15, as added by this act, conflicts**
4 **with the Family Educational Rights and Privacy Act.**

5 **(b) The department of education shall immediately notify the**
6 **legislative services agency of the United States Department of**
7 **Education's determination.**

8 **(c) This SECTION expires July 1, 2004.**

9 **SECTION 3. An emergency is declared for this act.**

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